



# Howard County Council

George Howard Building  
3430 Courthouse Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Courtney Watson, Chairperson  
District 1  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Calvin Ball  
District 2  
Greg Fox  
District 5  
Jennifer Terrasa  
District 3

### Minutes (approved, 5/5/08) Budget Work Session April 25, 2008

Chairperson Courtney Watson called the meeting to order at 9:02 a.m. on April 25, 2008, in the Ellicott Room, George Howard Building.

Members Present: Calvin Ball, Greg Fox, Mary Kay Sigaty, Courtney Watson, Jennifer Terrasa.

Jim Irvin, Director of the Department of Public Works, answered questions on the proposed capital projects for water, as follows:

W8243—Toll House Road, Main Replacement – Continuation project to replace a failed pipe. The pipes are faulty. The county did pursue damages from the manufacturer; however, the company now is bankrupt.

W8257 – Elkridge, Montgomery Road and Lawyer's Hill Road – New replacement project.

W8280 – Fulton Tank and Pumping Station – The project is in design. It entails two pumping stations and an elevated water tower. Setbacks are as required by the State. The developer donated the land, which needed to have appropriate height.

W8281 – Emergency Water Supply – There is a misprint on the detail page; the project is not closing. The project will allow an analysis of alternatives, such as securing water at a lower price from WSSC. Steve Gerwin will provide details regarding equipment to be purchased in this project.

Storm Drainage – Jim Irvin

D1124- FY07 drainage project, replaced D1118

D1125 – Emergency reconstruction – continues a current program

D1131 – Worthington Drainage – The first phase is complete; working on Orchard Drive now. This is an older community that was developed without storm drains.

D1143 – Naylor Ave. – The Department just got bids and is ready to go to construction.

D1150 – High Ridge Drainage – This is an ongoing project; they are moving to other streets

#### Bridges – Jim Irvin

Council member Greg Fox asked a general question: He sees significant funding in a number of projects in FY 08 for which little or no expenditure has been made and wants to know if it's realistic that the requested FY 09 funds will be spent.

Mr. Irvin replied that there frequently are two issues that arise that may cause delays in spending: 1) problems with land acquisition, or 2) slow approvals by the State Highway Administration (SHA) and by the federal highway authorities. He believes that the requested fund authorizations are necessary to allow plans to proceed.

B3840—Daisy road – This project was delayed because of the necessity to redesign because of property owners' concerns. They expect construction in FY 09.

B3856 – Old Montgomery Road Bridge – The previous book had an error in the classification of this road, which is corrected in the FY 09 document. They also have switched fund sources.

B3857 – Systemic Improvements – Calvin Ball asked for a list of the six completed bridges under this project.

#### Road Resurfacing – Jim Irvin

Mr. Fox asked a general question about the quality of chip seal resurfacing (microsurfacing). Jim Irvin replied that it is cost-effective, costing half as much as hot asphalt and lasting two-thirds as long. The proposed increase reflects both the increasing cost of petroleum based products and the back-log of projects.

H 8904 – Community Road Revitalization (curbs and sidewalks). This is a replacement project. This category may not be used for new sidewalks, which are funded under the sidewalk portion of the budget.

C0298 – General County – U.S. Rt. 40 corridor Enhancement – Steve Lafferty, Deputy Director of the Department of Planning and Zoning, reported that the delay is not caused by a lack of a design manual, but by the lack of interest by the development community in redeveloping in this corridor at this time. After the Design Advisory program is in place, DPZ will do a landscape design; however, they probably will not get to develop a design manual quickly, given the lack of development interest.

#### Road Constructions

J4142 – Hall Shop Road – This project is tied up in land acquisition negotiations.

J4157 – Minstrel Way Extension – The developer will construct Minstrel Way, but they need to secure a right of way from two property owners.

J4204 – US 29 Improvements – The state and county will share the cost of adding a 3<sup>rd</sup> lane northbound between Rout 175 and Middle Patuxent River. There are federal funds available for the project, but there is a question about the availability of state funds.

J4176 – N. Laurel Road – This is a geometric improvement, to reduce the height of a crest to improve sight distance.

J4214 – Guilford at Vollmerhausen – The funding proposed reflects a realistic schedule to complete this project.

J 4212 – State Road Construction – Specific projects in this item may change depending on the State's construction priorities. They probably will do a signal at Folly Quarter Road, as land is not available for a round-about.

J4211 – Roadway Capacity – Replaced J4164; leaves authority available to meet capacity and safety needs.

J4225 – Ellicott Center Drive connection to Rogers Ave. – This may be deferred because of the possible sale of this land. The excise tax dedicated to the project will be defunded. Ms. Watson expressed concern about compromising public safety by deferring this project.

J 4224 – Gateway @ Robert Fulton – DPW met in March with General Growth Properties (GGP). They are in the design phase now. The intersection will be signalized. GGP expects to complete this within a year.

J 4232 – Selnick Drive Extension – Ms. Sigaty asked if this project would push commercial traffic into a residential area. Mr. Irvin affirmed that it will have an impact.

J 4228 – Chester Road. – This project has not yet been started.

Mr. Wacks addressed a general issue related to fund sources for these projects. They mostly have been funded with excise tax revenue. Because the County was accumulating significant cash, bond counsel recommended replacing bonds with this cash to reduce the cash reserves. Also, if excise tax continued to be committed to projects, there would be inadequate resources, as the excise tax revenues have been committed to previous projects. Therefore, the Executive has submitted legislation to index the excise tax rate (for road construction), raising the rate about 2%. If the county doesn't index the tax, he said, it will exhaust the funds and be unable to fund future projects.

The Council took a break from 10:30 until 10:44 a.m.

Sidewalks and Curbs – Jim Irvin

Jim Irvin announced that there is not much funding in this category for FY 09.

K5047—Ilchester Road. This is a controversial project, as it's a scenic road. Some want sidewalks; others don't.

K 5040 – Guilford Road – Funds are not in FY 09 because of a scheduling conflict with another project.

K 5052- Long Gate Sidewalk – The staff doesn't think it makes sense to tear out the curb and cut back the island to add one foot of sidewalk. DPW wants to do a pedestrian study to assess the need after the park has been in existence for awhile.

K 5057—Robert Fulton – There is an issue with street trees on this project.

K 5061 – Pedestrian Plan Project -- Mr. Fox asked why this project was reduced a million dollars and why nothing has been spent so far. Mr. Irvin said that the project is 98 to 99% designed. It requires no cost for acquisition of rights of way. DPW is concerned about possible delays because of refusals to grant rights of way.

#### Intersection Improvements

T 7100 – Intersection Improvement Project – This replaced T 7076, which is still open until May 2009. The projects are underway.

T7101—State County shared intersections – They are spending about \$400,000 or more on the Rt. 108 project. They will need the FY 09 funds for new projects.

T7102 – Street Sign Program – This replaced T 7083; most of the funds are developer contributions.

T 7103 – State/County traffic control – This may fund the signal at Folly Quarter Road.

#### Stormwater Management – Drainage

D 1153 – Floodplain acquisition – There are some homes developed before floodplain restrictions were adopted which regularly flood. These funds would acquire properties in the flood plain. FEMA does not insure homes if only the basement floods.

D 1158 -- Watershed Management Construction -- \$580,000 is for a grant they hope to get for stream restoration. The county has to prepare a stream restoration plan; long term projection is based on the expected cost to implement the plan. Mr. Irvin explained that the County only funds projects where the County owns the stream or the county has an interest in the restoration and acquires an easement to restore.

D 1159 – Stormwater Management Facility Reconstruction – Ms. Sigaty expressed an interest in Hickory Ridge Village Center outfall. Mr. Irvin replied that the drainage is from a stream, which would come under the reservoir management restoration program.

D 1132 – Cherry Creek is the project to be funded; may get state funds for a second project.

Ms. Watson asked about the possibility of speed humps for traffic calming since the Administration's bill to allow speed cameras failed. Jim Irvin said he would get back to her on this.

#### Sewer – Don Lieu

S 56271 – Deerfield Drive Sewer – Mr. Lieu explained the history of the project and the accommodations for a neighboring property. The county did not attempt to get easements to

allow a gravity sewer when a previous developer installed grinder pump technology because that developer did not request county assistance. The DPW policy is to consider grinder pumps for developments of 4 or fewer lots, but the preference is for gravity sewers. The proposed new subdivision could accommodate seven homes.

Ms. Watson asked about the implications of CR 130, which said that the county could use eminent domain to acquire rights of way only for the public good, not just for a private interest.

A discussion followed of the Council's options for the project: 1) they could remove the project and, with four votes, could reinstate it later, if they wanted to; 2) they could leave the project in and move the funds to a later year to allow negotiations between the developer and property owner without threat of imminent condemnation.

Ms. Watson announced her intention to introduce an amendment to remove this project.

Office Complex – Ray Wacks and Jim Irvin; joined by Cheryl Duvall, space planner

Mr. Wacks distributed information answering previous questions:

1) How were properties to be sold acquired?

Gateway School – acquired in 1947 by the Bd. Of Education; source of funds unknown.

Martha Bush – acquired in 1976 for a jail with general obligation bonds

Rogers Ave. property – acquired in 2001 for \$3,175,000 in pay-go funds for an office building

The Council asked for a copy of the appraisals on these properties when they become available (estimated 2 weeks).

They discussed the potential for development of each of the county's properties. The jail property would be sold subject to the buyer's retaining the tot lot. Greg Fox asked for an estimate of the value of the Town and Country Blvd. property, which was purchased for road construction. HCC occupies the Hickory Ridge Building, rent-free. There was excess property from the Route 100 development and there are some lots acquired from tax sale. The house on Rogers Avenue will be demolished eventually to make room for expansion of the Police Department. The list of properties distributed did not include developed parks.

Cheryl Duvall distributed a list of current space occupied by various offices and of her firm's projection in an earlier project of the needs in 2017.

Ray Wacks explained a chart showing expenditures and encumbrances for services by COPT. The encumbrances will be liquidated and reallocated to the proposed office project.

The Council took a break from 1:11 to 1:35 for lunch.

Parking at Meridian Square – Steve Lafferty

Steve Lafferty explained that DPZ had talked to the Oakland Mills community about parking at the Meridian Square building, and the community was happy to have on-street parking for some

of the demand. Mr. Fox pointed out and Margaret Ann Nolan, County Solicitor, affirmed that a parking study was required as a condition to DPZ's granting exceptions to the parking requirements in their regulations. Mr. Lafferty affirmed that the developer's plan was approved without a parking study and that a permit was issued.

Lynn Robeson, Office of Law, explained the County's participation in a condo association, given its regulatory role over condos. She explained that there is little opportunity for conflict, because the County's role on the association would be to project the condo owners' interests, and their interest would be to comply with county law and regulation. There is no legal barrier to the county's belonging to a condo association.

Mr. Fox asked about the possibility that the condo association may require a major expenditure for renovation for which county-appropriated funds are not available. Ms. Robeson said that the county would be subject to the covenant rules about cash reserves.

Ms. Watson asked for a review of the budget for each of the three phases of construction.

The meeting was adjourned at 2:18 p.m.